

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

IN RE:  
JOHNSTON, WILLIAM P. & KATHLEEN

§ CASE NO. 96-60022

§

§

§

§

§ CHAPTER 7

§

DEBTOR(S)

TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION,  
AND REPORT OF PROPOSED DISTRIBUTION

JASON R. SEARCY, Trustee of the estate of the above-named Debtor(s), certifies to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, that the trustee has examined all proofs of claim as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of the court. The trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

Therefore, the trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: 7/13/99

Jason R Searcy  
Trustee

\*\*\*\*\*

REVIEWED BY THE UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation, and Report of Proposed Distribution.

United States Trustee

Date: 7/13/99

By: [Signature]

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**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

IN RE:  
JOHNSTON, WILLIAM P. & KATHLEEN

§ CASE NO. 96-60022

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§

§ CHAPTER 7

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DEBTOR(S)

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND  
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commission and expenses set forth in Schedule A and states: that they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not ben reimbursed or indemnified.

2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. §521 (1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. §554 (c).

3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.

4. The Trustee submits Form II as the account of estate cash receipts and disbursements.

5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.

6. The Trustee requests approval of this final Report.

7. The Trustee (has) (XXXXXXX) examined each and every claim filed and noted his approval of claims filed, or he has filed objections to allowance or requests for reclassification.

8. The Trustee further requests that after final distribution of all monies have been made in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U.S. Trustee, the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: 7/13/99

  
\_\_\_\_\_  
JASON R. SEARCY, TRUSTEE

SCHEDULE A-1

FINAL ACCOUNT AS OF:

A.	RECEIPTS	\$78,060.44
B.	DISBURSEMENTS	
(1)	Secured Creditors	0.00
(2)	Administrative Expenses	18,397.13
(3)	Priority Creditors	0.00
(4)	Other	0.00
	TOTAL DISBURSEMENTS	<u>\$18,397.13</u>
C.	BALANCE ON HAND	\$59,663.31

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

SEARCY

COMMENTS:

CASE NAME:

JOHNSTON, WILLIAM/KATHLEEN

CASE NUMBER:

96-60022

DATE UST APPROVED:

07-29-99

ESTATE INCOME:

TOTAL RECEIPTS:

\$78,060.44

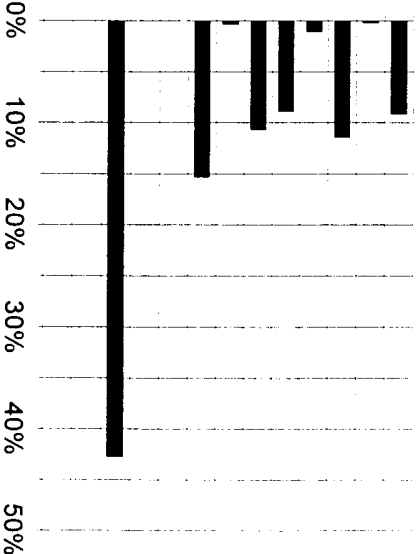
100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION  
TRUSTEE'S EXPENSES  
FIRM'S PROFESSIONAL FEES  
FIRM'S PROFESSIONAL EXPENSES  
OTHER ATTORNEY FEES  
OTHER PROFESSIONAL FEES  
COURT COSTS  
ESTATE EXPENSES(TAXES, ETC)  
PRIOR CHAPTER COSTS  
SECURED CLAIMS PAID  
PRIORITY CLAIMS PAID  
UNSECURED CLAIMS PAID  
OTHER(RETURN TO DEBTOR, ETC)

7,153.02  
169.05  
8,929.00  
830.54  
6,947.09  
8,337.59  
300.00  
12,000.00  
0.00  
0.00  
33,394.15  
0.00  
0.00

9.16%  
0.22%  
11.44%  
1.06%  
8.90%  
10.68%  
0.38%  
15.37%  
0.00%  
0.00%  
42.78%  
0.00%  
0.00%



UNSECURED CLAIMS  
ALLOWED

142,318.54

UNSECURED CLAIMS  
PAID

0.00

PERCENT RECOVERED  
FOR UNSECURED

0.00%

## Form 1

Page: 1

Individual Estate Property Record and Report  
Asset Cases

**Case Number:** 96-60022 PARK  
**Case Name:** JOHNSTON, WILLIAM P. & KATHLEEN  
**Period Ending:** 07/13/99

**Trustee:** (631670) JASON R. SEARCY  
**Filed (f) or Converted (c):** 01/04/96 (f)  
**\$341(a) Meeting Date:** 12/06/96  
**Claims Bar Date:** 04/15/97

1 Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	HOMESTEAD - RT. 2, BOX 118-46, EMORY, TX Equity value in 3 acres, property not allowed as exempt property - TRUSTEE VALUE = EQUITY VALUE (See Footnote)	56,868.80	8,500.00		8,500.00	FA
2	CASH ON HAND	200.00	0.00		0.00	FA
3	BANK ACCOUNTS - AMERICAN EXPRESS FINANCIAL	2,366.85	0.00		0.00	FA
4	SECURITY DEPOSITS - FARMER'S ELECTRICAL CO-OP	320.00	0.00		0.00	FA
5	SECURITY DEPOSITS - GTE TELEPHONE	135.00	0.00		0.00	FA
6	HOUSEHOLD GOODS AND FURNISHINGS	1,500.00	0.00		0.00	FA
7	BOOKS AND ART OBJECTS	Unknown	0.00		0.00	FA
8	WEARING APPAREL AND JEWELRY	800.00	0.00		0.00	FA
9	FIREARMS AND HOBBY EQUIPMENT	100.00	0.00		0.00	FA
10	INTERESTS IN INSURANCE POLICIES - DAUGHTER	Unknown	0.00		0.00	FA
11	DITCH WITCH TRAILER Per Schedule Note: Left on property & foreclosed on by Howard Fager	1,500.00	0.00		0.00	FA
12	DITCH WITCH TRAILER	1,500.00	0.00		0.00	FA
13	1966 TEMPE LOW BOY TRAILER Property not allowed as exempt per Court Order dated	6,500.00	6,000.00		7,500.00	FA

## Form 1

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Individual Estate Property Record and Report  
Asset Cases

**Case Number:** 96-60022 PARK  
**Case Name:** JOHNSTON, WILLIAM P. & KATHLEEN  
**Period Ending:** 07/13/99

**Trustee:** (631670) JASON R. SEARCY  
**Filed (f) or Converted (c):** 01/04/96 (f)  
**\$341(a) Meeting Date:** 12/06/96  
**Claims Bar Date:** 04/15/97

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
14	1976 PETERBUILT TRUCK-TRACTOR Property not allowed as exempt per Court's Order dated 1-28-97	5,000.00	5,000.00		6,000.00	FA
15	1979 TRAILMOBILE TRAVEL VAN Property not allowed as exempt per Court's Order dated 1-28-97	2,000.00	2,000.00		2,000.00	FA
16	1980 CHEVROLET WITH BUCKET Property in possession of Debtors and not claimed as exempt - subject of adversary proceeding	17,000.00	15,000.00		15,000.00	FA
17	1983 AETEC DROP DECK TRAILER	4,000.00	4,000.00		0.00	FA
18	1991 DODGE	8,000.00	0.00		0.00	FA
19	1992 CARL-LITE 5TH WHEEL TRAVEL TRAILER Property not allowed as exempt per Court's Order dated 1-28-97	19,750.00	12,300.00		12,300.00	FA
20	1992 FORD PICKUP	8,000.00	0.00		0.00	FA
21	1993 FORD	11,000.00	0.00		0.00	FA
22	1993 FORD	11,500.00	0.00		0.00	FA
23	1994 FORD	11,000.00	0.00		0.00	FA
24	1995 SURE PULL 32' GOOSENECK TRAILER	4,000.00	0.00		0.00	FA

# Form 1

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## Individual Estate Property Record and Report Asset Cases

**Case Number:** 96-60022 PARK  
**Case Name:** JOHNSTON, WILLIAM P. & KATHLEEN  
**Period Ending:** 07/13/99

**Trustee:** (631670) JASON R. SEARCY  
**Filed (f) or Converted (c):** 01/04/96 (f)  
**§341(a) Meeting Date:** 12/06/96  
**Claims Bar Date:** 04/15/97

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=§554(a) abandon. DA=§554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
25	Per Schedule Note: Left on Property & foreclosed on by Howard Fager	Unknown	0.00	0.00	FA
26	4 WHEELER - JOHNSTON'S DAUGHTER PROPERTY Per Schedule Note: Left on Property & foreclosed on by Howard Fager	17,000.00	17,000.00	17,000.00	FA
27	750 JOHN DEERE DOZER Property not allowed as exempt per Court's Order dated 1-28-97	700.00	0.00	0.00	FA
28	GOOSENECK CATTLE TRAILER	12,000.00	0.00	0.00	FA
29	1994 MONTEREY PLEASURE BOAT Believed to have been sold by Debtors during Chapter 13 proceeding	6,000.00	3,000.00	3,000.00	FA
30	1995 YAMAHA POLARIS JET SKI Property in possession of Debtors and not claimed as exempt	1,000.00	0.00	0.00	FA
32	OFFICE EQUIPMENT, FURNISHINGS, AND SUPPLIES MACHINERY, FIXTURES, AND BUSINESS EQUIPMENT Per Schedule Note: Left on property & foreclosed on by Howard Fager - Forklift & box scraper recovered by Tte	Unknown	2,850.00	2,850.00	FA
33	TOOLS & MACHINERY, POLE TRAILER Property not allowed as exempt per Court's Order dated	10,000.00	0.00	0.00	FA

# Form 1

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## Individual Estate Property Record and Report Asset Cases

**Case Number:** 96-60022 PARK  
**Case Name:** JOHNSTON, WILLIAM P. & KATHLEEN  
**Period Ending:** 07/13/99

**Trustee:** (631670) JASON R. SEARCY  
**Filed (f) or Converted (c):** 01/04/96 (f)  
**\$341(a) Meeting Date:** 12/06/96  
**Claims Bar Date:** 04/15/97

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
	1-28-97					
34	MISC. HI RANGER PARTS AND HYD. PARTS Per Schedule Note: Left on Property & foreclosed on by Howard Fager - Recovered by Trustee for auction	Unknown	100.00		100.00	FA
36	3 DOGS, 14 COWS AND CALVES	2,120.00	0.00		0.00	FA
37	DOG AND HORSE Per Schedule Note: Left on Property & foreclosed on by Howard Fager	Unknown	0.00		0.00	FA
38	HAY Per Schedule Note: Left on Property & foreclosed on by Howard Fager & also on Bob Morehead's property	2,510.00	0.00		0.00	FA
39	FARMING EQUIPMENT - ROTARY CUTTER (BAR MISSING) Per Schedule Note: Left on property & foreclosed on by Howard Fager - Recovered by Trustee for auction	2,700.00	1,750.00		1,750.00	FA
40	FARMING EQUIPMENT - BAILER Believed to have been disposed of by Debtors during Chapter 13 proceeding	400.00	0.00		0.00	FA
41	RAKE	7,000.00	0.00		0.00	FA
42	TRACTOR Per Schedule Note: Left on property & foreclosed on by	11,500.00	0.00		0.00	FA



## Form 1

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Individual Estate Property Record and Report  
Asset Cases

**Case Number:** 96-60022 PARK  
**Case Name:** JOHNSTON, WILLIAM P. & KATHLEEN  
**Period Ending:** 07/13/99

**Trustee:** (631670) JASON R. SEARCY  
**Filed (f) or Converted (c):** 01/04/96 (f)  
**\$341(a) Meeting Date:** 12/06/96  
**Claims Bar Date:** 04/15/97

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
	Howard Fager					
43	HAY RINGS, FEED BUNKS, CATTLE EQUIP & SUPPLIES Per Schedule Note: Left on Property & foreclosed on by Howard Fager	2,500.00	0.00		0.00	FA
44	5 TON AIR CONDITIONER Per Schedule Note: Left on property & foreclosed on by Howard Fager - alleged Debtors' still have possession	500.00	0.00		0.00	FA
45	HAY FLUFFER Per Schedule Note: Left on property & foreclosed on by Howard Fager	Unknown	0.00		0.00	FA
Int	INTEREST (u)	Unknown	N/A		2,060.44	Unknown
<b>44 Assets</b>	<b>Totals (Excluding unknown values)</b>	<b>\$248,970.65</b>	<b>\$77,500.00</b>		<b>\$78,060.44</b>	<b>\$0.00</b>

RE PROP# 1 Stay was lifted in favor of secured creditors 12-4-97

## Major Activities Affecting Case Closing:

Criminal referral of case submitted to U.S. Trustee

Initial Projected Date Of Final Report (TFR): July 31, 1999

Current Projected Date Of Final Report (TFR): July 31, 1999

## Form 2

Page: 1

## Cash Receipts And Disbursements Record

**Case Number:** 96-60022 PARK  
**Case Name:** JOHNSTON, WILLIAM P. & KATHLEEN

**Taxpayer ID #:** 75-6507193  
**Period Ending:** 07/13/99

**Trustee:** JASON R. SEARCY (631670)  
**Bank Name:** THE CHASE MANHATTAN BANK  
**Account:** 312-7317017-65 - MONEY MARKET ACCOUNT  
**Blanket Bond:** \$0.00 (per case limit)  
**Separate Bond:** N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
05/09/77		CHASE MANHATTAN BANK	FEDERAL WITHHOLDING DEBIT		4.89	-4.89
03/06/97	{32, 34, 39}	J.A. GATHRIGHT AUCTIONEERS	SALES PROCEEDS	4,700.00		4,695.11
03/31/97	Int	CHEMICAL BANK	Interest posting at 2.6%	6.49		4,701.60
04/30/97	Int	CHEMICAL BANK	Interest posting at 2.6%	9.29		4,710.89
05/30/97	Int	CHEMICAL BANK	Interest posting at 2.6%	9.61		4,720.50
05/31/97		CHASE MANHATTAN BANK	FEDERAL WITHHOLDING DEBIT		2.98	4,717.52
06/30/97	Int	CHEMICAL BANK	Interest posting at 2.6%	9.31		4,726.83
07/31/97	Int	CHEMICAL BANK	Interest posting at 2.6%	9.67		4,736.50
08/29/97	Int	CHEMICAL BANK	Interest posting at 2.6%	10.47		4,746.97
09/02/97	101	J.A. GATHRIGHT & ASSOCIATES	ORDER DATED 8-26-97		2,586.49	2,160.48
09/30/97	Int	CHEMICAL BANK	Interest posting at 2.6%	7.21		2,172.48
10/31/97	Int	CHEMICAL BANK	Interest posting at 2.6%	4.79		2,167.69
11/13/97	{19}	ARP RV SALES	SALE OF NON-EXEMPT PERSONAL PROPERTY	12,300.00		14,472.48
11/28/97	Int	CHEMICAL BANK	Interest posting at 2.6%	16.04		14,488.52
12/22/97		Chase Manhattan Bank	Refund of Fed Withholding		-7.87	14,496.39
12/31/97	Int	CHEMICAL BANK	Interest posting at 2.5%	31.12		14,527.51
01/28/98	{15, 26, 29}	R W EQUIPMENT	SALES PROCEEDS	22,000.00		36,527.51
01/28/98	{13, 14}	R W EQUIPMENT	SALES PROCEEDS	13,500.00		50,027.51
01/30/98	Int	CHEMICAL BANK	Interest posting at 2.5%	30.88		50,058.39
02/12/98	102	U.S. BANKRUPTCY COURT - CLERK	2 ADVERSARY FILING FEES		300.00	49,758.39
02/18/98	{1}	WILLIAM G. FAGLIE, JR.	SALES PROCEEDS - ORDER DATED 2-5-98	8,500.00		58,258.39
02/27/98	Int	CHEMICAL BANK	Interest posting at 2.5%	96.96		58,355.35
03/11/98	103	R W EQUIPMENT	ORDER DATED MARCH 4, 1998		5,751.10	52,604.25
03/31/98	Int	CHEMICAL BANK	Interest posting at 2.4%	114.47		52,718.72
04/30/98	Int	CHEMICAL BANK	Interest posting at 2.4%	104.09		52,822.81
<b>Subtotals :</b>				<b>\$61,460.40</b>	<b>\$8,637.59</b>	

{} Asset reference(s)

## Form 2

Page: 2

## Cash Receipts And Disbursements Record

Case Number: 96-60022 PARK  
Case Name: JOHNSTON, WILLIAM P. & KATHLEEN  
Taxpayer ID #: 75-6507193  
Period Ending: 07/13/99

Trustee: JASON R. SEARCY (631670)  
Bank Name: THE CHASE MANHATTAN BANK  
Account: 312-7317017-65 - MONEY MARKET ACCOUNT  
Blanket Bond: \$0.00 (per case limit)  
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
05/29/98	Int	CHEMICAL BANK	Interest posting at 2.37%	106.60		52,929.41
06/30/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.37%	103.20		53,032.61
07/31/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.23%	119.07		53,151.68
08/31/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.23%	101.37		53,253.05
09/30/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.23%	97.69		53,350.74
10/07/98	{16}	William P. & Kathleen Johnston	Settlement of adversary	15,000.00		68,350.74
10/30/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0%	117.05		68,467.79
11/30/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0%	112.64		68,580.43
12/31/98	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	116.59		68,697.02
01/29/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	116.79		68,813.81
02/26/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	105.66		68,919.47
03/31/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	117.16		69,036.63
04/30/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	113.58		69,150.21
05/28/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 2.0000%	117.56		69,267.77
06/30/99	Int	THE CHASE MANHATTAN BANK	Interest posting at 1.9000%	112.24		69,380.01
07/07/99	104	JASON R. SEARCY, P.C.	Attorneys fees - Order dated 6-22-99		8,929.00	60,451.01
07/07/99	105	JASON R. SEARCY, P.C.	Attorneys expenses - Order dated 6-22-99		830.54	59,620.47
07/13/99	Int	Interest Posting	Current Interest Rate is 1.9000%	42.84		59,663.31
07/13/99		To Account #312731701766	Transfer of estate funds		59,663.31	0.00

## ACCOUNT TOTALS

Less: Bank Transfers

## Subtotal

Less: Payments to Debtors

## NET Receipts / Disbursements

78,060.44	78,060.44	\$0.00
0.00	59,663.31	
78,060.44	18,397.13	
	0.00	
<u>\$78,060.44</u>	<u>\$18,397.13</u>	

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

IN RE: §  
§  
WILLIAM PHILLIP JOHNSTON AND § CASE NO. TY-96-60022-HA  
WIFE, KATHLEEN JOHNSTON §  
§  
DEBTORS. § CHAPTER 7

*[Handwritten signature]*

ORDER APPROVING APPLICATION FOR COMPENSATION OF  
RW EQUIPMENT

ON THIS DAY CAME ON TO BE CONSIDERED the Application for Compensation of RW Equipment; and it appearing to the Court that the Application is well taken and should be granted pursuant to 11 U.S.C. §330, it is therefore

ORDERED, ADJUDGED AND DECREED that RWEquipment be allowed its compensation in the sum of \$5,751.10 for services rendered; and that the same shall be paid by the Trustee from available estate funds upon the execution hereof.

DATED this 31 day of March, 1998.

*[Handwritten signature]*  
PRESIDING JUDGE

PREPARED IN THE LAW OFFICE OF:  
JASON R. SEARCY, P.C.  
P.O. BOX 3929  
LONGVIEW, TEXAS 75606  
(903) 757-3399  
FAX (903) 757-9559

EOD MAR 04 '98

*206*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

IN RE: §  
§  
WILLIAM P. JOHNSTON AND WIFE, § CASE NO. TY-96-60022-HA  
KATHLEEN JOHNSTON §  
§  
DEBTORS. § CHAPTER 7

ORDER APPROVING APPLICATION FOR COMPENSATION OF  
J.A. GATHRIGHT & ASSOCIATES AUCTIONEERS, INC.

ON THIS DAY CAME ON TO BE CONSIDERED the Application for  
Compensation of J.A. Gathright & Associates Auctioneers, Inc.; and  
it appearing to the Court that the Application is well taken and  
should be granted pursuant to 11 U.S.C. §330, it is therefore

ORDERED, ADJUDGED AND DECREED that J.A. Gathright & Associates  
Auctioneers, Inc. be allowed its compensation in the sum of  
\$2,586.49 for auctioneering services rendered; and that the same  
shall be paid by the Trustee from available estate funds upon the  
execution hereof.

DATED this 26<sup>th</sup> day of Aug, 1997.

J. L. G. Abel  
PRESIDING JUDGE

PREPARED IN THE LAW OFFICE OF:  
JASON R. SEARCY, P.C.  
P.O. BOX 3929  
LONGVIEW, TEXAS 75606  
(903) 757-3399  
FAX (903) 757-9559

EOD AUG 27 '97

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS

IN RE:

WILLIAM PHILLIP JOHNSTON and  
KATHLEEN JOHNSTON

DEBTORS

§  
§  
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CAUSE NO. 96-60022A

CHAPTER 7

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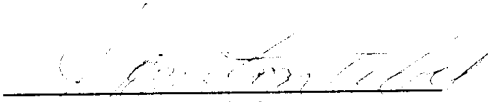
ORDER GRANTING HOWARD FAGER'S  
APPLICATION FOR ADMINISTRATIVE EXPENSE IN PART  
AND RESERVING ISSUE OF ATTORNEYS FEES

On the 18th day of March, 1997, came on for hearing Howard Fager's Application for Allowance of Administrative Expense ("Application"). After considering the pleadings, evidence and arguments of counsel, the Court granted the Application in part and reserved the issue of attorneys fees.

The Courts findings of fact and conclusions of law were stated orally and recorded in open court following the close of the evidence in accordance with Rule 7052 of the Bankruptcy Rules and Rule 52 of the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED THAT Howard Fager is allowed an administrative expense for the use of his property in the amount of \$12,000.00.

The Court hereby reserves its ruling on the issue of Howard Fager's application for allowance of attorneys fees as an administrative expense.

  
Judge Houston Abel

Prepared by  
MCNALLY & PATRICK L.L.P.  
P.O. Box 1080  
Tyler, Texas 75710  
Telephone 903/597-6301  
Facsimile 903/597-6302  
Glen Patrick  
State Bar I.D. #15579500  
ATTORNEYS FOR HOWARD FAGER

EOD APR 08 '97

158

# - Expenses Worksheet -

Period: 01/01/00 - 07/13/99

Trustee: JASON R. SEARCY (631670)

**Case Number:** 96-60022

**Case Name:** JOHNSTON, WILLIAM P. & KATHLEEN

**Case Type:** Assets

**Judge:** BILL PARKER

**Petition Date:** 01/04/96

**341a Meeting:** 12/06/96 10:15

**Category: COPIES**

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
05/20/99	Summary Sheet with Application for Final Compensation of Attorneys Fees and Reimbursement of Expenses	166.00	\$0.250	\$41.50
05/20/99	Summary Notice of Filing of Application for Final Compensation of Attorneys Fees and Reimbursement of Expense	26.00	\$0.250	\$6.50
07/13/99	Final Report	181.00	\$0.250	\$45.25
07/13/99	Supplemental Final Report	176.00	\$0.250	\$44.00
<b>Total for category COPIES:</b>		<b>549.00</b>		<b>\$137.25</b>

**Category: OTHER**

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
07/09/99	Intranet expense to obtain copy of Order	1.00	\$11.640	\$11.64
<b>Total for category OTHER:</b>		<b>1.00</b>		<b>\$11.64</b>

**Category: POSTAGE**

<u>Date</u>	<u>Description</u>	<u>Hours/Unit</u>	<u>Rate</u>	<u>Total</u>
05/20/99	Summary Sheet with Application for Final Compensation of Attorneys Fees and Reimbursement of Expenses	1.00	\$8.920	\$8.92
05/20/99	Summary Notice of Filing of Application for Final Compensation of Attorneys Fees and Reimbursement of Expenses	1.00	\$2.640	\$2.64
07/13/99	Final Report	1.00	\$4.300	\$4.30
07/13/99	Supplemental Final Report	1.00	\$4.300	\$4.30
<b>Total for category POSTAGE:</b>		<b>4.00</b>		<b>\$20.16</b>

**Total for case 96-60022: \$169.05**

**Grand Total: \$169.05**

SCHEDULE C

EXPENSES OF ADMINISTRATION

	(1) Amount Claimed	(2) Amount Allowed	(3) Previously Paid	(4) Due
1. 11 U.S.C. Sec. 507(a) (1) <u>Court Costs and Fees</u>	\$ 0.00	\$ 300.00	\$ 300.00	\$ 0.00
2. 11 U.S.C Sec. 503(b) (1) (A) <u>Preservation of Estate</u>				
A. Transportation	0.00	0.00	0.00	0.00
B. Storage	0.00	0.00	0.00	0.00
C. Wages	0.00	0.00	0.00	0.00
D. Estates share FICA	0.00	0.00	0.00	0.00
E. Insurance	0.00	0.00	0.00	0.00
F. Upkeep	0.00	0.00	0.00	0.00
G. Other (itemize)	0.00	0.00	0.00	0.00
3. 11 U.S.C. Sec. 503(b) (2) <u>Post-Petition taxes and related penalties</u>	0.00	0.00	0.00	0.00
4. 11 U.S.C. Sec. 503(b) (2) <u>Compensation and Reimbursement</u>				
A. Compensation of Trustee	7,153.02	7,153.02	0.00	7,153.02
B. Expenses of Trustee	169.05	169.05	0.00	169.05
C. Compensation of Attorney to Trustee	8,929.00	8,929.00	8,929.00	0.00
D. Expenses of Attorney to Trustee	830.54	830.54	830.54	0.00
E. Compensation of (2) Auctioneers	8,337.59	8,337.59	8,337.59	0.00
F. Compensation of Outside Attorney - Glen Patrick	6,947.09	6,947.09	0.00	6,947.09
5. Court Special Charges (Excess Notices)	0.00	0.00	0.00	0.00
6. U.S. Trustee fees	0.00	0.00	0.00	0.00
7. Other (itemize) Howard Fager - Admin Rental	23,000.00	12,000.00	0.00	12,000.00
Totals:	<u>\$72,966.29</u>	<u>\$44,666.29</u>	<u>\$18,397.13</u>	<u>\$26,269.16</u>



SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE  
FOLLOWING ORDER OF PRIORITY

	(1) Amount Claimed	(2) Amount Allowed	(3) Amount Paid	(4) Due
1. For Credit extended Sec. 364(e) (1)	\$0.00	\$0.00	\$0.00	\$0.00
2. Claims for failure of "adequate protection" Sec. 307(a) (b)	0.00	0.00	0.00	0.00
3. "Gap Claims" Sec. 507(a) (2)	0.00	0.00	0.00	0.00
4. Wages, etc. Sec. 507(a) (3)	0.00	0.00	0.00	0.00
5. Contributions to benefit plans Sec. 507(a) (4)	0.00	0.00	0.00	0.00
6. Consumer deposits Sec. 507(a) (6)	0.00	0.00	0.00	0.00
7. Taxes Sec. 507(a) (7)	144,329.26	119,873.26	0.00	119,873.26
8. Depository Institutions Sec. 507(a) (8)	0.00	0.00	0.00	0.00
9. Other: No Basis	23,000.00	0.00	0.00	0.00
Totals:	167,329.26	119,873.26	0.00	119,873.26

PARTIES AFFECTED:

Claim No.	Name of Creditor	Claim No.	Name of Creditor
6	INTERNAL REVENUE SERVICE		
16	INTERNAL REVENUE SERVICE		
18A	HOWARD FAGER		

FILED UNSECURED CLAIMS TOTAL: \$ 142,318.54

SUBORDINATED UNSECURED CLAIMS: \$ 0.00

# Claims Register

Trustee: JASON R. SEARCY (631670)

Case: 96-60022 JOHNSTON, WILLIAM P. & KATHLEEN

Claim Number	Date Filed	Claim Type	Claimant Name / (Category, Priority)	Amount Filed	Amount Allowed
7	03/25/96	Secured	NATIONSBANK P.O. BOX 26012/NC4-105-03-14 GREENSBORO, NC 27420  (SECURED, 100)	\$9,225.94 *	\$0.00
Claim Memo:			Disallowed by Order dated 5-13-98		
8	04/02/96	Secured	NATIONSBANK P.O. BOX 26012/NC4-105-03-14 GREENSBORO, NC 27420  (SECURED, 100)	\$9,556.59 *	\$0.00
Claim Memo:			Disallowed by Order dated 5-13-98		
9	04/02/96	Unsecured	ASSOCIATES COMMERCIAL CORP. C/O WILLIAM MCLAIN 1341 W. MOCKINGBIRD, #216W DALLAS, TX 75247  (UNSEC. TIMELY FILED CLAIMS, 610)	\$13,093.34	\$13,093.34
Claim Memo:			PERSONAL GUARANTY BY BOTH DEBTORS ON LOAN TO B & K ELECTRIC		
10	03/18/96	Secured	BANK ONE, TEXAS, N.A. P.O. BOX 167248 IRVING, TX 75016-7248  (SECURED, 100)	\$12,030.63 *	\$0.00
Claim Memo:			Disallowed by Order dated 5-13-98		
11	05/01/96	Secured	FORD MOTOR CREDIT CO. P.O. BOX 1722 DEARBORN, MI 48122  (SECURED, 100)	\$13,274.58 *	\$0.00
Claim Memo:			Disallowed by Order dated 5-13-98		
12	05/01/96	Secured	FORD MOTOR CREDIT CO. P.O. BOX 1722 DEARBORN, MI 48122  (SECURED, 100)	\$13,024.44 *	\$0.00
Claim Memo:			Disallowed by Order dated 5-13-98		

(\*) Denotes objection to Amount Filed

**Claims Register****Trustee: JASON R. SEARCY (631670)****Case: 96-60022 JOHNSTON, WILLIAM P. & KATHLEEN**

<b>Claim Number</b>	<b>Date Filed</b>	<b>Claim Type</b>	<b>Claimant Name / (Category, Priority)</b>	<b>Amount Filed</b>	<b>Amount Allowed</b>
13	05/17/96	Secured	HOWARD FAGER  (SECURED, 100)	\$230,902.00	\$0.00
<b>Claim Memo:</b>			AMENDED BY CLAIM NO. 18		
14	05/29/96	Unsecured	MCGEE SERVICES, INC. D.B.A AG SERVICES-REBA MCGEE ROUTE 2, BOX 126 BEN WHEELER, TX 75754  (UNSEC. TIMELY FILED CLAIMS, 610)	\$5,127.49	\$5,127.49
<b>Claim Memo:</b>			GOODS SOLD ON OPEN ACCT.		
15	06/20/96	Admin Ch. 11	HOWARD FAGER  (MISCELLANEOUS EXPENSES (CH11), 300)	\$17,600.00	\$0.00
<b>Claim Memo:</b>			AMENDED BY CLAIM NO. 18		
16	08/26/96	Priority	INTERNAL REVENUE SERVICE 1100 COMMERCE ST., RM 9A20 CODE 5029 DAL DALLAS, TX 75242  (PRIOR. TAX CLAIMS, 560)	\$119,873.26	\$119,873.26
<b>Claim Memo:</b>			FICA/FUTA/INCOME TAXES 6-30-93 THRU 12-31-95		
16A	08/26/96	Unsecured	INTERNAL REVENUE SERVICE 1100 COMMERCE ST., RM 9A20 CODE 5029 DAL DALLAS, TX 75242  (UNSEC. PENALTIES, 630)	\$36,898.75	\$36,898.75
17	09/23/96	Unsecured	GREENWOOD TRUST NOVUS SERVICES P.O. BOX 8003 HILLIARD, OH 43026  (UNSEC. TIMELY FILED CLAIMS, 610)	\$4,555.00	\$4,555.00
<b>Claim Memo:</b>			CREDIT-CASH ADVANCES; DUPLICATED BY CLAIM 19		
18	02/04/97	Unsecured	HOWARD FAGER C/O GLEN PATRICK P.O. BOX 1080 TYLER, TX 75710-1080  (UNSEC. TIMELY FILED CLAIMS, 610)	\$52,683.50 *	\$52,683.50
<b>Claim Memo:</b>			Agreed Order dated 5-5-99		

(\*) Denotes objection to Amount Filed

**Claims Register****Trustee: JASON R. SEARCY (631670)****Case: 96-60022      JOHNSTON, WILLIAM P. & KATHLEEN**

<b>Claim Number</b>	<b>Date Filed</b>	<b>Claim Type</b>	<b>Claimant Name / (Category, Priority)</b>	<b>Amount Filed</b>	<b>Amount Allowed</b>
18A	02/04/97	Priority	HOWARD FAGER C/O GLEN PATRICK P.O. BOX 1080 TYLER, TX 75710  (PRIOR. OTHER, 570)	\$23,000.00 *	\$0.00
<b>Claim Memo:</b>			RENTAL VALUE AND ATTORNEY'S FEES; Amended by Claims 102 & 103		
19	02/14/97	Unsecured	GREENWOOD TRUST  (UNSEC. TIMELY FILED CLAIMS, 610)	\$4,555.00 *	\$0.00
<b>Claim Memo:</b>			Disallowed by Order dated 5-13-98		
20	02/18/97	Unsecured	AMERICAN EXPRESS TRAVEL SERVIC C/O BECKET & LEE P.O. BOX 3001, DEPT. AC MALVERN, PA 19355  (UNSEC. TIMELY FILED CLAIMS, 610)	\$3,811.91	\$3,811.91
<b>Claim Memo:</b>			CREDIT CARD		
21	10/25/96	Unsecured	KNIGHT'S COMMUNICATIONS, INC. P.O. BOX 1152 FORT WORTH, TX 76101  (UNSEC. TIMELY FILED CLAIMS, 610)	\$12,052.07	\$12,052.07
<b>Claim Memo:</b>			GOODS SOLD ON OPEN ACCT.		
22	11/22/96	Secured	BANK ONE, TEXAS, N.A. P.O. BOX 167248 IRVING, TX 75016-7248  (SECURED, 100)	\$12,965.26 *	\$0.00
<b>Claim Memo:</b>			Disallowed by Order dated 5-13-98		
100	06/18/97	Admin Ch. 7	J.A. GATHRIGHT & ASSOCIATES P.O. BOX 6616 LONGVIEW, TX 75608  (FEES-AUCTIONEER, 200)	\$2,586.49 *	\$2,586.49
<b>Claim Memo:</b>			ORDER DATED 8-26-97		
101	02/05/98	Admin Ch. 7	R W EQUIPMENT ATTN: ROBERT PERKINS 3312 N. HWY 259 KILGORE, TX 75662  (FEES-AUCTIONEER, 200)	\$5,751.10	\$5,751.10
<b>Claim Memo:</b>			ORDER DATED 3-4-98		

(\*) Denotes objection to Amount Filed

**Claims Register****Trustee: JASON R. SEARCY (631670)****Case: 96-60022      JOHNSTON, WILLIAM P. & KATHLEEN**

<b>Claim Number</b>	<b>Date Filed</b>	<b>Claim Type</b>	<b>Claimant Name / (Category, Priority)</b>	<b>Amount Filed</b>	<b>Amount Allowed</b>
102	01/31/97	Admin Ch. 7	Howard Fager c/o Glen E. Patrick P.O. Box 1080 Tyler, TX 75710-1080  (MISCELLANEOUS EXPENSES (conv 1), 200)	\$23,000.00	\$12,000.00
<b>Claim Memo:</b>			Order dated 4-7-97		
103	03/28/97	Admin Ch. 7	Howard Fager c/o Glen E. Patrick P.O. Box 1080 Tyler, TX 75710-1080  (FEES-OUTSIDE ATTY (CH7), 200)	\$6,947.09	\$6,947.09
<b>Claim Memo:</b>			Order dated 6-12-97		
104	05/24/99	Admin Ch. 7	JASON R. SEARCY, P.C. P.O. BOX 3929 LONGVIEW, TX 75606  (FEES-TRUSTEE'S ATTY (CH7), 200)	\$8,929.00	\$8,929.00
<b>Claim Memo:</b>			Order dated 6-22-99		
105	05/24/99	Admin Ch. 7	JASON R. SEARCY, P.C. P.O. BOX 3929 LONGVIEW, TX 75606  (EXP.-TRUSTEE'S ATTY (CH7), 200)	\$830.54	\$830.54
<b>Claim Memo:</b>			Order dated 6-22-99		
106	02/12/98	Admin Ch. 7	U.S. BANKRUPTCY COURT - CLERK 200 E. FERGUSON SECOND FLOOR TYLER, TX 75702  (U.S. BANKRUPTCY COURT, 200)	\$0.00	\$300.00
<b>Claim Memo:</b>			Adversary Filing fees		
<b>Case Total:</b>				<b>\$703,056.62</b>	<b>\$296,912.18</b>

(\*) Denotes objection to Amount Filed

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

IN RE:	)	CASE NO. 96-60022
JOHNSTON, WILLIAM P. & KATHLEEN	)	
	)	
	)	
DEBTOR(S)	)	CHAPTER 7
	)	

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The Trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the Trustee and on the United States Trustee.

1.	BALANCE ON HAND		\$ 59,663.31
2.	ADMINISTRATIVE EXPENSES TO BE PAID	\$ 26,269.16	
3.	SECURED CLAIMS TO BE PAID	0.00	
4.	PRIORITY CLAIMS TO BE PAID	33,394.15	
5.	UNSECURED CLAIMS TO BE PAID	0.00	
6.	OTHER DISTRIBUTIONS TO BE PAID	0.00	
7.	TOTAL DISTRIBUTIONS TO BE MADE (SUM OF LINES 2 THROUGH 6)		\$ 59,663.31
8.	ZERO BALANCE AFTER ALL DISTRIBUTIONS (LINE 1 LESS LINE 7)		- 0 -

(SEE ATTACHED SCHEDULE OF PAYEES AND AMOUNTS)

Date: 7/13/99

  
\_\_\_\_\_  
JASON R. SEARCY, Trustee

**Claims Distribution Register**

**Trustee: JASON R. SEARCY (631670)**

**Case: 96-60022 - JOHNSTON, WILLIAM P. & KATHLEEN**

<b>Claim #</b>	<b>Date</b>	<b>Priority</b>	<b>Claimant</b>	<b>Amount Filed</b>	<b>Amount Allowed</b>	<b>Paid to Date</b>	<b>Claim Balance</b>	<b>Proposed Payment</b>	<b>Percent Paid</b>
<b>Claim Type: Secured</b>									
1	02/26/96	100	FORD NEW HOLLAND CREDIT CO. 33 SOUTH RAILROAD AVENUE NEW HOLLAND, PA 17557-1728 <b>Category: SECURED</b>	11,743.88	0.00 *	0.00	0.00	0.00	100.00000
<b>Memo: Disallowed by Order dated 5-13-98</b>									
2	02/26/96	100	FORD NEW HOLLAND CREDIT CO. 33 SOUTH RAILROAD AVENUE NEW HOLLAND, PA 17557-1728 <b>Category: SECURED</b>	7,719.21	0.00 *	0.00	0.00	0.00	100.00000
<b>Memo: Disallowed by Order dated 5-13-98</b>									
7	03/25/96	100	NATIONS BANK P.O. BOX 26012/NC4-105-03-14 GREENSBORO, NC 27420 <b>Category: SECURED</b>	9,225.94	0.00 *	0.00	0.00	0.00	100.00000
<b>Memo: Disallowed by Order dated 5-13-98</b>									
8	04/02/96	100	NATIONS BANK P.O. BOX 26012/NC4-105-03-14 GREENSBORO, NC 27420 <b>Category: SECURED</b>	9,556.59	0.00 *	0.00	0.00	0.00	100.00000
<b>Memo: Disallowed by Order dated 5-13-98</b>									

# Claims Distribution Register

Trustee: JASON R. SEARCY (631670)

Case: 96-60022 - JOHNSTON, WILLIAM P. & KATHLEEN

Claim #	Date	Priority	Claimant	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Percent Paid
10	03/18/96	100	BANK ONE, TEXAS, N.A. P.O. BOX 167248 IRVING, TX 75016-7248 Category: SECURED	12,030.63	0.00 *	0.00	0.00	0.00	100.00000
Memo: Disallowed by Order dated 5-13-98									
11	05/01/96	100	FORD MOTOR CREDIT CO. P.O. BOX 1722 DEARBORN, MI 48122 Category: SECURED	13,274.58	0.00 *	0.00	0.00	0.00	100.00000
Memo: Disallowed by Order dated 5-13-98									
12	05/01/96	100	FORD MOTOR CREDIT CO. P.O. BOX 1722 DEARBORN, MI 48122 Category: SECURED	13,024.44	0.00 *	0.00	0.00	0.00	100.00000
Memo: Disallowed by Order dated 5-13-98									
13	05/17/96	100	HOWARD FAGER Category: SECURED	230,902.00	0.00	0.00	0.00	0.00	100.00000
Memo: AMENDED BY CLAIM NO. 18									
22	11/22/96	100	BANK ONE, TEXAS, N.A. P.O. BOX 167248 IRVING, TX 75016-7248 Category: SECURED	12,965.26	0.00 *	0.00	0.00	0.00	100.00000
Memo: Disallowed by Order dated 5-13-98									
Total for Priority 100 :				\$320,442.53	\$0.00	\$0.00	\$0.00	\$0.00	
Total for Type Secured :				\$320,442.53	\$0.00	\$0.00	\$0.00	\$0.00	



## Claims Distribution Register

Trustee: JASON R. SEARCY (631670)

Case: 96-60022 - JOHNSTON, WILLIAM P. &amp; KATHLEEN

Claim #	Date	Priority	Claimant	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Percent Paid
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Claim Type: Admin Ch. 7

01/04/96	200		JASON R. SEARCY 446 FOREST SQUARE LONGVIEW, TX 75605	7,153.02	7,153.02	0.00	7,153.02	7,153.02	100.00000
Category: FEES-TRUSTEE (CH7)									
01/04/96	200		JASON R. SEARCY 446 FOREST SQUARE LONGVIEW, TX 75605	169.05	169.05	0.00	169.05	169.05	100.00000
Category: EXP.-TRUSTEE (CH7)									
06/18/97	200		J.A. GATHRIGHT & ASSOCIATES P.O. BOX 6616 LONGVIEW, TX 75608	2,586.49	2,586.49 *	2,586.49	0.00	0.00	100.00000
Category: FEES-AUCTIONEER									
Memo: ORDER DATED 8-26-97									
02/05/98	200		R W EQUIPMENT ATTN: ROBERT PERKINS 3312 N. HWY 259 KILGORE, TX 75662	5,751.10	5,751.10	5,751.10	0.00	0.00	100.00000
Category: FEES-AUCTIONEER									
Memo: ORDER DATED 3-4-98									
01/31/97	200		Howard Fager c/o Glen E. Patrick P.O. Box 1080 Tyler, TX 75710-1080	23,000.00	12,000.00	0.00	12,000.00	12,000.00	100.00000
Category: MISCELLANEOUS EXPENSES (conv 1)									
Memo: Order dated 4-7-97									

**Claims Distribution Register**  
**Trustee: JASON R. SEARCY (631670)**

Case: 96-60022 - JOHNSTON, WILLIAM P. & KATHLEEN

Claim #	Date	Priority	Claimant	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Percent Paid
)	03/28/97	200	Howard Fager c/o Glen E. Patrick P.O. Box 1080 Tyler, TX 75710-1080 <b>Category: FEES-OUTSIDE ATTY (CH7)</b>	6,947.09	6,947.09	0.00	6,947.09	6,947.09	100.00000
	<b>Memo: Order dated 6-12-97</b>								
	05/24/99	200	JASON R. SEARCY, P.C. P.O. BOX 3929 LONGVIEW, TX 75606 <b>Category: FEES-TRUSTEE'S ATTY (CH7)</b>	8,929.00	8,929.00	8,929.00	0.00	0.00	100.00000
	<b>Memo: Order dated 6-22-99</b>								
)	05/24/99	200	JASON R. SEARCY, P.C. P.O. BOX 3929 LONGVIEW, TX 75606 <b>Category: EXP.-TRUSTEE'S ATTY (CH7)</b>	830.54	830.54	830.54	0.00	0.00	100.00000
	<b>Memo: Order dated 6-22-99</b>								
	02/12/98	200	U.S. BANKRUPTCY COURT - CLERK 200 E. FERGUSON SECOND FLOOR TYLER, TX 75702 <b>Category: U.S. BANKRUPTCY COURT</b>	0.00	300.00	300.00	0.00	0.00	100.00000
	<b>Memo: Adversary Filing fees</b>								
<b>Total for Priority 200 :</b>				\$55,366.29	\$44,666.29	\$18,397.13	\$26,269.16	\$26,269.16	
<b>Total for Type Admin Ch. 7 :</b>				\$55,366.29	\$44,666.29	\$18,397.13	\$26,269.16	\$26,269.16	

Claim Type: Admin Ch. 11

## Claims Distribution Register

Trustee: JASON R. SEARCY (631670)

Case: 96-60022 - JOHNSTON, WILLIAM P. &amp; KATHLEEN

Claim #	Date	Priority	Claimant	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Percent Paid
06/20/96	300		HOWARD FAGER	17,600.00	0.00	0.00	0.00	0.00	100.00000
Category: MISCELLANEOUS EXPENSES (CH11)									
Memo: AMENDED BY CLAIM NO. 18									

## Claim Type: Priority

6	04/01/96	560	INTERNAL REVENUE SERVICE 1100 COMMERCE ST. CODE 5027 DAL DALLAS, TX 75242	24,456.00	0.00	0.00	0.00	0.00	27.85788
Category: PRIOR. TAX CLAIMS									
Memo: AMENDED BY CLAIM NO. 16									
16	08/26/96	560	INTERNAL REVENUE SERVICE 1100 COMMERCE ST., RM 9A20 CODE 5029 DAL DALLAS, TX 75242	119,873.26	119,873.26	0.00	119,873.26	33,394.15	27.85788
Category: PRIOR. TAX CLAIMS									

Memo: FICA/FUTA/INCOME TAXES 6-30-93 THRU 12-31-95

Total for Priority 560 :									
				\$144,329.26	\$119,873.26	\$0.00	\$119,873.26	\$33,394.15	
18A	02/04/97	570	HOWARD FAGER C/O GLEN PATRICK P.O. BOX 1080 TYLER, TX 75710	23,000.00	0.00 *	0.00	0.00	0.00	100.00000

Category: PRIOR. OTHER

Memo: RENTAL VALUE AND ATTORNEY'S FEES; Amended by Claims 102 &amp; 103

Total for Type Priority : \$167,329.26 \$119,873.26 \$0.00 \$119,873.26 \$33,394.15

# Claims Distribution Register

Trustee: JASON R. SEARCY (631670)

Case: 96-60022 - JOHNSTON, WILLIAM P. & KATHLEEN

Claim #	Date	Priority	Claimant	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Percent Paid
<b>Claim Type: Unsecured</b>									
3	03/01/96	610	CITIBANK (SOUTH DAKOTA), N.A. MS-1 P.O. BOX 6005 SIOUX FALLS, SD 57117-6005	4,150.57	4,150.57	0.00	4,150.57	0.00	
<b>Category: UNSEC. TIMELY FILED CLAIMS</b>									
<b>Memo: CREDIT CARD</b>									
4	03/04/96	610	BANK OF AMERICA, NT & SA P.O. BOX 7082 PASADENA, CA 91109	5,390.91	0.00 *	0.00	0.00	0.00	
<b>Category: UNSEC. TIMELY FILED CLAIMS</b>									
<b>Memo: MONEY LOAN - NO PROOF</b>									
9	04/02/96	610	ASSOCIATES COMMERCIAL CORP. C/O WILLIAM MCCLAIN 1341 W. MOCKINGBIRD, #216W DALLAS, TX 75247	13,093.34	13,093.34	0.00	13,093.34	0.00	
<b>Category: UNSEC. TIMELY FILED CLAIMS</b>									
<b>Memo: PERSONAL GUARANTY BY BOTH DEBTORS ON LOAN TO B &amp; K ELECTRIC</b>									
14	05/29/96	610	MC GEE SERVICES, INC. D.B.A AG SERVICES-REBA MC GEE ROUTE 2, BOX 126 BEN WHEELER, TX 75754	5,127.49	5,127.49	0.00	5,127.49	0.00	
<b>Category: UNSEC. TIMELY FILED CLAIMS</b>									
<b>Memo: GOODS SOLD ON OPEN ACCT.</b>									

## Claims Distribution Register

Trustee: JASON R. SEARCY (631670)

Case: 96-60022 - JOHNSTON, WILLIAM P. &amp; KATHLEEN

Claim #	Date	Priority	Claimant	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Percent Paid
17	09/23/96	610	GREENWOOD TRUST NOVUS SERVICES P.O. BOX 8003 HILLIARD, OH 43026	4,555.00	4,555.00	0.00	4,555.00	0.00	
Category: UNSEC. TIMELY FILED CLAIMS									
Memo: CREDIT-CASH ADVANCES; DUPLICATED BY CLAIM 19									
18	02/04/97	610	HOWARD FAGER C/O GLEN PATRICK P.O. BOX 1080 TYLER, TX 75710-1080	52,683.50	52,683.50 *	0.00	52,683.50	0.00	
Category: UNSEC. TIMELY FILED CLAIMS									
Memo: Agreed Order dated 5-5-99									
19	02/14/97	610	GREENWOOD TRUST	4,555.00	0.00 *	0.00	0.00	0.00	
Category: UNSEC. TIMELY FILED CLAIMS									
Memo: Disallowed by Order dated 5-13-98									
20	02/18/97	610	AMERICAN EXPRESS TRAVEL SERVIC C/O BECKET & LEE P.O. BOX 3001, DEPT. AC MALVERN, PA 19355	3,811.91	3,811.91	0.00	3,811.91	0.00	
Category: UNSEC. TIMELY FILED CLAIMS									
Memo: CREDIT CARD									
21	10/25/96	610	KNIGHT'S COMMUNICATIONS, INC. P.O. BOX 1152 FORT WORTH, TX 76101	12,052.07	12,052.07	0.00	12,052.07	0.00	
Category: UNSEC. TIMELY FILED CLAIMS									
Memo: GOODS SOLD ON OPEN ACCT.									
Total for Priority 610 :				\$105,419.79	\$95,473.88	\$0.00	\$95,473.88	\$0.00	

(\*) Denotes objection to Amount Filed

# Claims Distribution Register

Trustee: JASON R. SEARCY (631670)

Case: 96-60022 - JOHNSTON, WILLIAM P. & KATHLEEN

Claim #	Date	Priority	Claimant	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment	Percent Paid
16A	08/26/96	630	INTERNAL REVENUE SERVICE 1100 COMMERCE ST., RM 9A20 CODE 5029 DAL DALLAS, TX 75242	36,898.75	36,898.75	0.00	36,898.75	0.00	
Category: UNSEC. PENALTIES									
Total for Type Unsecured :				\$142,318.54	\$132,372.63	\$0.00	\$132,372.63	\$0.00	
Total for Case:				\$703,056.62	\$296,912.18	\$18,397.13	\$278,515.05	\$59,663.31	

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

IN RE: WILLIAM & KATHLEEN      / BANKRUPTCY CASE: 96-60022  
         JOHNSTON                      /  
   / CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.  
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

JASON SEARCY    P O BOX 3929   LONGVIEW, TX 75606

The following Applications for Compensation have been filed:

<u>Applicants</u>	<u>Fees Requested</u>	<u>Expenses Requested</u>
<u>JASON SEARCY</u> Trustee	<u>7153.02</u>	<u>169.05</u>
<u>JASON SEARCY</u> Attorney for Trustee	<u>0.00</u>	<u>0.00</u>
<u>U. S. Bankruptcy Court</u>	<u>0.00</u>	

The trustee's account shows:

<b>Total Receipts</b>	<b>Total Disbursements</b>	<b>Balance</b>
<u>\$ 78060.44</u>	<u>\$ 18397.13</u>	<u>\$ 59663.31</u>

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 119873.26 ; general unsecured claims have been allowed in the amount of \$ 142318.54 .  
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 20 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on \_\_\_\_\_

at \_\_\_\_\_ .

Date: \_\_\_\_\_

**JAMES D. TOKOPH**, Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk